

**Lincoln, Nebraska
December 21, 2007**

**COMMUNITY CORRECTIONS COUNCIL
*MEETING MINUTES***

The Community Corrections Council (Council) met Friday, December 21, 2007, 9:00 a.m., at the Cornhusker Hotel, Lincoln, Nebraska. The meeting was open to the public and was preceded by advance publicized notice in the Lincoln Journal Star.

Members present:

Scot Adams
Mike Behm
Kermit A. Brashear, Chair
Esther Casmer
Jeff Davis
Thomas Dorwart
Ellen Fabian-Brokofsky
Honorable Karen Flowers
Robert Houston
Honorable John P. Icenogle
Joe Kelly
Lee Kimzey
Robert Lindemeier
James McKenzie
Senator Dwite Pedersen
Senator John Synowiecki

Others present:

Timoree Adams
Toni Ahrendt
Jacki Allensworth
Bruce Ayers
Judy Beutler
Scott Carlson
Reagan Daly
Cathy Gibson-Beltz
Nancy Hicks
Frank Jenson
Doug Koebernick
Ed Lankas
Deb Minardi
Kate Morris
Connie Nemec
Michael Overton
Maggie Peck
Jim Pieper
Julie Rogers
Christine Salvatore
Corey Steel
Larry Wayne
David Wegner

Members absent:

Julie Hippen
Janice Walker

Council Staff Present:

Linda Krutz, Executive Director
Jeffrey Beaty, Policy Analyst
Tia Bachman, Admin Assistant
Nickette Allen, SOS Temp

CALL TO ORDER, WELCOME, & OVERVIEW

Chairperson Brashear called the Council meeting to order at 9:07 a.m., announced that the meeting is subject to the Open Meetings Act, and gave an overview of the meeting. Attendance is indicated above.

Jeffrey Beaty was introduced as the new Policy Analyst for the Council.

APPROVAL OF MINUTES

The November 2, 2007 meeting minutes were approved as presented.

COMMUNITY CORRECTIONS FINANCIAL REPORT

Bruce Ayers, Crime Commission, gave the *Community Corrections Financial Report*, and reported balances as of 10/31/2007. Ayers noted the Uniform Data Analysis Fund shows a balance of \$1,160,369. The Probation Fees/Reimbursements show a balance of \$7,948,636. The Parole Fees shows a balance of \$566,753.

TARGET POPULATION REPORT & COMMUNITY CORRECTIONS DATA REPORT

Mike Dunkle, Crime Commission, presented the *Target Population Report*. Dunkle noted admissions to the Department of Correctional Services (DCS) are down 5 percent from last year. DCS Felony Drug Offenders (FDO) admissions are down 12 percent. Probation FDO admissions are down 12 percent and Parole FDO admissions are down 7 percent.

Karen Flowers questioned where the offenders are going since all percentages are down. Esther Casmer noted a majority of admissions to DCS are parole/probation violators and are incarcerated less than three months which is an insufficient amount of time to enroll offenders into community corrections programs. Houston noted DCS had 434 admissions with 6 months or less and 750 admissions with 12 months or less in 2007. Fabian-Brokofsky stated DCS is working with Probation to acquire data from filing, convictions, and how they were pled out.

Scot Adams questioned if the Council has done an effective job explaining alternatives, the opportunity of new resources in the community, and the intention of state law through the Community Corrections Council process. Jeff Davis noted FDO's have the option to accept federal level sentencing which could also affect the data.

Dunkle reviewed the *Addendum to the Population Report* and noted a pattern of arrest rates increasing during June, July, and August.

Icenogle stated data on convictions and sentencing selections is needed from state courts to determine if offenders are being placed in the correct community corrections

programs. Icenogle suggested using data from the last three years to identify if there is a problem.

Mike Behm questioned if during the Strategic Planning Retreat on February 6-8, 2007, the Council will discuss what measures have been taken or will be taken to meet the Council's goals, or what goals have been reached. Behm noted the Council has data from the last four years to support a performance evaluation.

Dunkle gave the *Community Corrections Data Report* and noted the format has changed. Dunkle noted Specialized Substance Abuse Supervision (SSAS) participation in District nine is up 357 percent from last year and District four is operating at 93 percent capacity. Problem-Solving Courts spreadsheets are broken down into four pages to include information by individual courts.

PEW/VERA STRATEGIC ASSESSMENT

Maggie Peck presented the final report of the *Pew/Vera Strategic Assessment on October 4-5, 2007*. Peck noted Pew Charitable Trusts (Pew) will continue to fund the reform efforts in Nebraska.

DEFICIT APPROPRIATION PROPOSAL

Krutz introduced Mike Salzwedel, Governors Budget Division. Brashear discussed the *Deficit Appropriation Proposal* to increase the spending authority of \$383,854 from the Uniform Data Fund, and \$1,062,098 to fund two additional Reporting Centers (RC's). *A motion was made by Robert Lindemeier and seconded by Thomas Dorwart to approve the Uniform Data Fund Proposal and the Funding for two additional Reporting Centers. Roll call was conducted and the motion passed unanimously.*

A ten minute break was called by Brashear.
The Council reconvened at 10:45 a.m.

NEBRASKA DEPARTMENT OF CORRECTIONAL SERVICES

Bob Houston provided a report of *Sentenced Admissions / Revocations / Violation of Probation*. Brashear noted this will be a standing report for future meetings.

PROBATION/PAROLE SERVICES STUDY

Reagan Daly and Peck gave a PowerPoint presentation, *Considering Consolidation: The Nebraska Probation and Parole Services Study*. Daly noted the study was mandated by LB 540 in 2007. The purpose was to advance debate on consolidation in Nebraska. Daly noted Nebraska has attempted to pass legislation mandating a merger multiple times in the past.

Daly noted Vera Institute of Justice (Vera) conducted a comparison of consolidated states and analyzed the overlap of population, services, and staffing within probation and parole. Vera gathered perspectives on the advantages and disadvantages of consolidation by interviewing officers from probation and parole, senators, and judges. Daly noted Dr. Dall Forsythe, Ph.D., prior New York State budget director and current New York University Professor of Public Administration and Financial Management assisted Vera with the analysis.

Peck discussed the National Comparison of Consolidated States and noted 31 states have consolidated probation and parole field services. Peck noted 27 have consolidated under the Department of Corrections, 4 under an autonomous agency, and none within the judicial branch.

Peck noted it is more common for non-consolidated probation agencies to incorporate juvenile services. In consolidated states, juvenile probation is more likely to be administered by a separate youth services agency. Minnesota is the only state that incorporates juvenile supervision within its consolidated agencies.

Peck stated North Carolina's successful consolidation was a result of mandatory structured sentencing. Peck stated the consolidation allowed a strong collaboration and reduction in the overlap of services between Community Corrections, Department of Corrections, and the Department of Health and Human Services.

Peck noted Kansas has attempted to consolidate numerous times but failed to determine which branch of government to consolidate under. Community Corrections officers were not in support of consolidation due to salary disparity. Government officials were unable to determine how to incorporate juveniles into existing programs.

Daly discussed the population demographics of probation and parole. Probation admissions in 2007 were seven times higher than parole. Distribution by gender and race were relatively similar. Probation had a population of 18 thousand and Parole barely a thousand in June 2007. Daley noted the caseload is more than two times higher for Probation officers.

Daly discussed the overlap in state sponsored services. Both SSAS and the Fee for Service Voucher Program (voucher) are available to probationers and parolees. SSAS officers receive specialized training and facilities are available in five pilot sites across the state. Voucher program providers are required to be Registered Providers. Registered Providers are an individual or agencies who have a clear understanding of the Standardized Model. Daly noted the use of vouchers for parolees is twice as high as probationers. Both probation and parole officers noted offenders are better matched to services, but a gap still exists between urban and rural availability of services.

Daly discussed the advantages and disadvantages of consolidation. Legislators are concerned with the advancement of community corrections policies and improving the criminal justice outcomes to reduce recidivism.

Daly stated probation officers noted a connection with judges and stated probation takes an innovative approach to supervision. Probation officers noted the need for more officers, the development of a quality assurance program, and more mental health services.

Daly stated parole officers noted a connection with offenders and a high success rate, but noted a need for policy development. Parole officers do not want to consolidate, and stated they will be required to “wear too many hats”. Parole officers feel they would be overlooked in the judicial branch.

Daly noted it would be easier to merge the two agencies under the judicial branch due to probation being larger in terms of the numbers of offenders and staff, and supervise offenders for a longer period of time. Daly noted coordinated efforts are already underway and the Council is charged with further development of coordinated services.

Daly questioned if it was the right time to merge, and noted cost savings in salaries, county support, and administrative staff. Daly stated questions to focus on are: Where will the consolidated administration be located? What kind of management structure will be implemented? How will juvenile services be incorporated? Who will oversee the consolidated agency? How will caseloads change? What are the goals of consolidation?

TRANSFORMATIONS IN COMMUNITY CORRECTIONS SERIES VOLUME I

Ellen Fabian-Brokofsky presented the *Transformations In Community Corrections Series, Volume I*. Fabian-Brokofsky noted Dr Denise Herz, Ph.D. was the consultant for the Legislative Substance Abuse Task Force in 2001. The report was created to provide an overview of the Standardized Model for Delivery of Substance Abuse Services (the Model) and to summarize the developments related to implementing the Model and its contribution to building a substance abuse system of care within Nebraska’s Probation System.

Synowiecki requested data of offenders who are voucher eligible, but who do not use vouchers. Christine Salvatore, Probation Administration will work on developing the data.

2008 RETREAT DATES & AGENDA

Brashear discussed and confirmed the Council strategic planning retreat date of February 6-8, 2008 and no objections were noted. Brashear presented the tentative agenda. Icenogle suggested structuring a specific time to discuss the Probation/Parole Services Study. Jeff Davis suggested allowing an informational section on mental health issues in corrections. Brashear noted these suggestions will be added to the tentative retreat agenda.

2008 COUNCIL MEETING DATES

The following Council meeting dates were proposed:

2/29/2008	5/16/2008	8/15/2008	11/14/2008
3/14/2008	6/20/2008	9/19/2008	12/19/2008
4/11/2008	7/11/2008	10/17/2008	

Meeting dates were approved as presented and will be posted on the website.

TIMELINE

Brashear presented the Council Timeline and noted it will change with the outcome of the strategic planning retreat.

CONCLUDING REMARKS & ADJOURNMENT

There being no further business, at 11:42 a.m. the meeting was adjourned.

The next scheduled meeting of the Council is Friday, February 29, 2007, 9:00 a.m., at the Cornhusker Hotel in Lincoln, Nebraska.

Respectfully submitted,

Tia M. Bachman